

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

UNITED STATES OF AMERICA,	)	CIVIL ACTION NO.
	)	
Plaintiff,	)	JUDGE
	)	
v.	)	
	)	
REAL PROPERTY LOCATED AT 100	)	
MOUNTAIN VIEW DRIVE, MORELAND	)	
HILLS, OHIO, CUYAHOGA COUNTY	)	
PERMANENT PARCEL NOS: 913-06-001,	)	
913-06-005;	)	
	)	
REAL PROPERTY LOCATED AT 2664	)	
SOUTH GREEN ROAD, SHAKER	)	
HEIGHTS, OHIO, CUYAHOGA COUNTY	)	
PERMANENT PARCEL NO. 734-03-026;	)	
	)	
REAL PROPERTY LOCATED AT 2104	)	
SOUTH GREEN ROAD, SOUTH EUCLID,	)	
OHIO, CUYAHOGA COUNTY PARCEL	)	
NO. 703-22-020;	)	
	)	
REAL PROPERTY LOCATED AT 2110	)	
SOUTH GREEN ROAD, SOUTH EUCLID,	)	
OHIO CUYAHOGA COUNTY PARCEL	)	
NO. 703-22-019;	)	
	)	
VACANT RESIDENTIAL LOT LOCATED	)	
ON SOUTH GREEN ROAD, SOUTH	)	
EUCLID, OHIO, CUYAHOGA COUNTY	)	
PARCEL NO. 703-22-021;	)	
	)	
REAL PROPERTY LOCATED AT 952 N	)	
LAUREL AVENUE, LOS ANGELES,	)	
CALIFORNIA, LOS ANGELES COUNTY	)	
AIN 5529-023-023;	)	
	)	
REAL PROPERTY LOCATED AT 806 N	)	
VISTA STREET, LOS ANGELES,	)	
CALIFORNIA, LOS ANGELES COUNTY	)	
ASSESSOR AIN 5526-005-024;	)	
	)	<u>COMPLAINT IN FORFEITURE</u>

1996 PORSCHE 911 TURBO, BLACK IN )  
 COLOR, VIN: WP0AC2991TS376255; )  
 )  
 2019 NAUTIQUE G25 BOAT, HIN: )  
 CTC95115K819, WITH A 2019 EXTREME )  
 BOAT TRAILER, VIN: )  
 5DBBB2734KZ005090; )  
 )  
 PATEK PHILIPPE ROSE GOLD MEN'S )  
 WRIST WATCH, MODEL NO. 5980/1R- )  
 001, SERIAL NO. 797834/6192290; )  
 )  
 ROLEX STAINLESS MEN'S WRIST )  
 WATCH, MODEL NO. 115234, SERIAL )  
 NO. 245E1318; )  
 )  
 ROLEX STAINLESS MEN'S WRIST )  
 WATCH, MODEL NO. 116234, SERIAL )  
 NO. 17T10743; )  
 )  
 ROLEX 18K ROSE GOLD MEN'S WRIST )  
 WATCH, MODEL NO. 218235, SERIAL )  
 NO. 38HZ3155; )  
 )  
 METALOR KILOGRAM GOLD BAR, )  
 SERIAL NO. 18144504; )  
 )  
 \$2,158,215.00 IN U.S. CURRENCY; and, )  
 )  
 \$39,108.00 IN U.S. CURRENCY; )  
 )  
 Defendants. )

NOW COMES plaintiff, the United States of America, by Bridget M. Brennan, Acting  
 United States Attorney for the Northern District of Ohio, and Henry F. DeBaggis, Assistant U.S.  
 Attorney, and files this Complaint in Forfeiture, respectfully alleging as follows in accordance  
 with Supplemental Rule G(2) of the Federal Rules of Civil Procedure:

## **JURISDICTION AND INTRODUCTION**

1. This Court has subject matter jurisdiction over an action commenced by the United States under 28 U.S.C. § 1345, and over an action for forfeiture under 28 U.S.C. § 1355(a). This Court also has jurisdiction over this particular action under 18 U.S.C. § 981(a)(1)(A), 21 U.S.C. §§ 881(a)(4) and (a)(6).

2. This Court has *in rem* jurisdiction over the defendant properties (hereinafter, “defendant properties”) under 28 U.S.C. § 1355(b). Further, the United States will post notice of this action and a copies of the Complaint in Forfeiture on the defendant real properties in accordance with 18 U.S.C. § 985(c)(1)(B).

3. Venue is proper in this district pursuant to: (i) 28 U.S.C. § 1355(b)(1) because acts giving rise to the forfeiture occurred in this district.

4. The defendants currency and property are subject to forfeiture to the United States under 21 U.S.C. Section 881(a)(6) in that they constitute proceeds from illegal drug trafficking activities, and/or were used - or were intended to be used - in exchange for illegal controlled substances, and/or were used - or were intended to be used - to facilitate illegal drug trafficking activities.

5. The defendant property also is subject to forfeiture to the United States under 18 U.S.C. § 981(a)(1)(A) in that it was involved in a transaction(s) in violation of 18 U.S.C. § 1957 (money laundering), or is property traceable to such property.

## **DESCRIPTION OF DEFENDANT PROPERTIES**

6. The defendant properties – including all fixtures, improvements, and appurtenances, are the following:

- a) A residence located at **100 Mountain View Drive, Moreland Hills, Ohio**

**44022**, which is further described by the Cuyahoga County Auditor's Office as Parcel: 913-06-001 and Parcel: 913-06-005;

- b) A residence located at **2664 South Green Road, Shaker Heights, Ohio 44122**, which is further described by the Cuyahoga County Auditor's Office as Parcel: 734-03-026;
- c) A residence located at **2104 South Green Road, South Euclid, Ohio 44121**, which is further described by the Cuyahoga County Auditor's Office as Parcel: 703-22-020;
- d) A residence located at **2110 South Green Road, South Euclid, Ohio 44121**, which is further described by the Cuyahoga County Auditor's Office as Parcel: 703-22-019;
- e) A vacant residential lot located on **South Green Road, South Euclid, Ohio 44121**, which is further described by the Cuyahoga County Auditor's Office as Parcel: 703-22-021;
- f) A residence located at **952 N Laurel Avenue, Los Angeles, California 90046**, which is further described by the Los Angeles County Assessor as AIN: 5529-023-023;
- g) A residence located at **806 N Vista Street, Los Angeles, California 90046**, which is further described by the Los Angeles County Assessor as AIN: 5526-005-024;
- h) A 1996 Porsche 911 Turbo, black in color, VIN # WP0AC2991TS376255;
- i) A 2019 Nautique G25 boat, HIN # CTC95115K819, with a 2019 Extreme boat trailer, VIN # 5DBBB2734KZ005090;

- j) (1) Patek Philippe rose gold men's wrist watch, Model # 5980/1R-001, Serial # 797834/6192290;
- k) (1) Rolex stainless men's wrist watch, Model # 115234, Serial # 245E1318;
- l) (1) Rolex stainless men's wrist watch, Model # 116234, Serial # 17T10743;
- m) (1) Rolex 18k rose gold men's wrist watch, Model # 218235, Serial # 38HZ3155;
- n) (1) Metalor kilogram gold bar, Serial # 18144504;
- o) \$2,158,215.00 in U.S. currency; and
- p) \$39,108.00 in U.S. currency.

### **DRUG TRAFFICKING OPERATION**

7. The Major Crimes Task Force (MCTF) is conducting an investigation of Eyton SENDERS, Justen BALAY and others who have been involved in an interstate drug trafficking and money laundering operation where they use common carriers to distribute marijuana and cannabis concentrates, such as THC vape cartridges, to customers and/or other co-conspirators. SENDERS and others have been identified as the owner/operators of Dank Vapes (DANK VAPES) and Dankwoods<sup>1</sup> which are the manufacturers and distributors of a popular brand of THC vape cartridges. In an effort to conceal their illegal activities and avoid detection by law enforcement, Senders and others used various residences, businesses, and vehicles to travel to various destinations to manufacture and supply drugs for their customers. It further appears that

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<sup>1</sup> An anonymous article titled, "Owners of Dank Vapes Exposed" was posted on 10/8/19 on the Instagram site "theblacklistxyz." In summary this article stated, "Owners of dank vapes consist of 3 people, all multi-millionaires in the Hollywood hills: Atom- Jewish kid, from Ohio . . . Zat-from Ohio . . . Powder- Jewish white kid, from Nebraska . . . None of them have social media or any kind of photos on the Internet . . . they are continuing to put poison oil on the streets, with: Dank Vapes, Mario Carts, Exotic carts, who are all friends that work together . . . Daniel Staub is the trademark holder for exotic carts. Possibly the owner too."

SENDERS and others have conducted complex financial transactions with the illicit drug proceeds generated from their sales and disbursements. In an attempt to launder their illicit proceeds, SENDERS has utilized numerous third-parties to conceal the true source and nature of the funds. The DANK VAPES DTO is a multi-million-dollar organization thus there is a fervent attempt to layer the illicit proceeds through third party individuals and entities to make the monies appear legitimate.

8. Cannabis concentrates such as oils (distillate) are created by using an extraction process to separate resin glands containing the psychoactive compound THC from the cannabis flower<sup>2</sup>. Oils are popularly utilized in pre-filled vape pens which can contain extraordinarily high THC levels ranging from 40% to 80%. This form of marijuana can be up to four times stronger in THC content than regular marijuana buds that are smoked or ingested, which normally measures around 20% THC levels.

9. “Vaping” is the act of inhaling and exhaling an aerosol or vapor made from a liquid or dry material that is heated in an electronic powered device, called an electronic cigarette, or e-cigarette. Vaping is an alternative way to consume cannabis without the need to burn it to obtain a high. Portable vaporizer pens, which use THC oil cartridges, are discrete as they do not emit an odor of marijuana when used. This consumption method provides an instant, more powerful, longer lasting high than the conventional method of smoking leaf marijuana.

10. Title 18, U.S.C., Section 1956 (a)(1) makes it an offense when, whoever, knowing that the property involved in a financial transaction represents the proceeds of some form of unlawful activity, conducts or attempts to conduct such a financial transaction which in fact

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<sup>2</sup> Although THC is only one of numerous chemical compounds known as cannabinoids found in the cannabis plant, THC is the primary psychoactive ingredient that creates a euphoric high.

involves the proceeds of a specified unlawful activity (SUA) –

(A)(i) with the intent to promote the carrying on of the specified unlawful activity; or

(ii) with intent to engage in conduct constituting a violation of Title 26, U.S.C.,

Section 7201 or 7206 of the Internal Revenue Code; or

(B) knowing that the transaction is designed in whole or in part -

(i) to conceal or disguise the nature, the location, the source, the ownership, or the control of the proceeds of specified unlawful activity.

11. There is probable cause to believe to enable them to promote their DTO, DANK VAPES drug trafficking, that proceeds were used by SENDERS and others for the purchase of marijuana/THC cultivation, dispensing and manufacturing equipment, and air/ground transportation for distribution. There is also probable cause to believe that SENDERS and others concealed the nature, source and ownership of their drug trafficking proceeds by using third parties to conduct a series of financial transactions, through various bank accounts, to ultimately layer or distance the illicit proceeds from their criminal source.

12. Title 21, U.S.C., Section 841(a)(1) makes it unlawful for any person, knowingly or intentionally, to manufacture, distribute, or dispense a controlled substance; or (2) to create, distribute, or dispense, or possess with intent to distribute or dispense, a counterfeit substance. The felonious manufacture, importation, receiving, concealment, buying, selling, or otherwise dealing in a controlled substance is identified as an SUA under Title 18, U.S.C., Sections 1956(c)(7) and 1961(1)(D). Evidence developed in the investigation shows that SENDERS, BALAY and others manufactured and distributed in excess of 3.7 million THC vape cartridges from California to various other states, including the Northern District of Ohio from July 2018 through July 2019. This is a conservative estimate of the amount of THC vape cartridges that

were sold by this DTO. Based upon my training and experience, I know that this volume of THC vape cartridges is a distribution amount. Additionally, I know that each THC vape cartridge has a street value ranging from \$30 to \$45. I know the street value based upon recent interviews of other THC vape cartridge traffickers in the Northern District of Ohio.

13. Many individuals involved in money laundering and other illegal activities, such as drug trafficking, are aware of the Currency Transaction Report (CTR)<sup>3</sup> reporting requirements and take active steps to attempt to cause financial institutions to fail to file CTRs. It is also common for many of these individuals to refrain from using traditional banking methods as to avoid reporting requirements and remain anonymous from law enforcement. In order to avoid the reporting requirements, individuals often “structure” their deposits and withdrawals into financial institutions. Individuals use the method of “smurfing” to structure their cash deposits which is the process of taking a lump sum of cash in excess of \$10,000 and conducting multiple deposits with the currency in amounts less than the \$10,000 threshold. Structuring is a criminal violation under Title 31, U.S.C., Section 5324.

### **CURRENCY TRANSACTION REPORTS**

14. As stated above, financial institutions are required to file a CTR when an individual conducts a deposit, exchange or withdrawal in excess of \$10,000 in currency. Below is a listing of CTRs filed on behalf of individuals pertinent to the investigation.

15. CTR # 31000143890849 – 3/21/19

This CTR was generated as the result of wire transfers received in the amount of **\$1,720,000** by

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<sup>3</sup> Financial institutions must file a CTR, for a cash deposit or a money transfer to, or on behalf of the same person, which involves a transaction in currency of more than \$10,000 during any one-business day.

First American Title Insurance Company. The entity involved in the transaction was N Laurel Avenue Property Holdings LLC<sup>4</sup> and the transaction was conducted on behalf of SENDERS. The entity has an address of 14393 Washington Blvd., University Heights, Ohio<sup>5</sup>.

16. CTR # 31000145532083 – 4/12/19

This CTR was generated as the result of a wire transfers received in the amount of **\$1,850,000** by First American Title Insurance Company. The entity involved in the transaction was 833 N. Spaulding Avenue LLC<sup>6</sup> and the transaction was conducted on behalf of SENDERS. The entity has an address of 14393 Washington Blvd., University Heights, Ohio.

17. CTR # 310001502241550 – 6/14/19

This CTR was filed by Fidelity National Financial Inc. as the result of two (2) wire transfers totaling **\$1,900,000** regarding the purchase or sale of property located at 806 N. Vista Avenue, Los Angeles, California 90035. The transaction was conducted on behalf of the entity, 806 N. Vista Ave LLC<sup>7</sup> which had an address of 14393 Washington Blvd., University Heights, Ohio.

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<sup>4</sup> According to the California Secretary of State business filings, N. Laurel Avenue Property Holdings LLC was incorporated on 2/21/19 and listed SENDERS as a member.

<sup>5</sup> 14393 Washington Blvd, University Heights, Ohio 44113 is the residence of SENDERS' relatives.

<sup>6</sup> According to the California Secretary of State business filings, 833 N. Spaulding Avenue LLC was incorporated on 3/26/19 and listed SENDERS as manager/member.

<sup>7</sup> According to the California Secretary of State business filings, 806 N Vista Ave LLC was incorporated on 5/28/19. Business documents provided to Granite Escrow & Settlement Services for the purchase of 806 N. Vista Avenue, Los Angeles, CA 90046 indicate that BALAY is listed as the only member of 806 N Vista Ave LLC.

18. CTR # 31000164641032 – 3/9/20

This CTR was filed as the result of a cash deposit conducted by a relative of SENDERS in the amount of \$12,410 into Fifth Third business checking account ending in # 4831. This is the business account of Sendies Boys Limited LLC DBA Tibor's Kosher Meats which is located at 2185 S. Green Road, University Heights, Ohio. The CTR denotes the relative depositor's occupation as Meat Market owner with an address of 2543 S. Green Road, University Heights, Ohio.

19. CTR # 31000165076536 – 3/16/20

This CTR was filed as the result of a cash deposit conducted by a relative of SENDERS in the amount of \$11,530 into Fifth Third business checking account ending in # 4831.

#### **FINANCIAL ANALYSIS**

20. SENDERS opened several personal and business bank accounts that demonstrate activity consistent with money laundering and the accounts are summarized, as follows:

##### **First National Bank of Pennsylvania account ending in # 6949 – ES Global Real Estate Holdings LLC**

21. SENDERS in conjunction with a relative, opened this business account on 6/26/18 at the LaPlace branch in Beachwood, Ohio. The signature card refers to SENDERS as the Property Manager and another person as the Managing Member. The mailing address for the business is 14393 Washington Blvd., University Heights, Ohio 44118 which is the residence of relatives of SENDERS. SENDERS' physical address is documented as 1121 La Peer Drive, Los Angeles, California 90035 while the Managing Member's physical address is the above mentioned Washington Blvd. location. During the period 9/14/18 to 11/13/19, there were twenty (20) cash deposits totaling \$102,638 placed into this account. In addition, the following transactions occurred in this account:

- 10/23/18- there was an outgoing wire transfer in the amount of \$2,470 payable to Henan Touch Science Instruments which is located in Zhengzhou, China. This company sells products and equipment related to THC/distillate manufacturing. The Website states “We have more than 15 years of manufacturing experience with induction rotary evaporators, glass reactors, drying ovens, chillers, water ring vacuum pumps and other lab instruments.”
- 6/12/19 and 6/13/19 – the account received two (2) wire transfers from Titanium Lending Inc. each for \$100,000 thus totaling \$200,000 (deposit).
- 6/13/19 – the account utilized a wire transfer in the amount of \$197,560.35 to purchase a residence at 2664 Green Road in Shaker Heights, Ohio (Expenditure).
- 7/3/19 – the account received two (2) sequential checks from Icon Remodeling Inc., one for \$200,000 and another for \$130,000 totaling \$330,000 (deposit). The checks are numbered 185 and 186 (sequential) and there is not a description of the transaction in the “Memo” section of the checks. The checks are dated 7/1/19.
- 7/24/19 – the account received an incoming wire transfer (deposit) in the amount of \$200,000 from Titanium Lending.
- 7/25/19 – the account was utilized to send a wire transfer to Hvidzak Capital Management account in the amount of \$200,000 (expenditure).
- 8/12/19 – an outgoing wire transfer was sent to a relative of SENDERS’ US Bank account ending in # 9109 in the amount of \$350,000 (expenditure).
- 9/10/19 – the account utilized a wire transfer in the amount of \$32,884.25 to purchase vacant property on South Green Road in South Euclid, Ohio.

**Banner Bank account ending in # 0600 – Laurel Avenue Property Holdings LLC**

22. SENDERS opened this account on 5/21/19 with a \$200 cash deposit. He stated the

address of the LLC was 14393 Washington Blvd., University Heights, Ohio. The following activity occurred in this account:

8/9/19 – A \$100,000 check deposit from Icon Remodeling which originated from JP Morgan Chase account ending in # 9053. The check does not indicate a purpose in the “memo section.”

8/27/19 – A \$150,000 wire transfer credit (deposit) from Wisnicki & Associates LLC which originated from JP Morgan Chase account ending in # 0540.

9/4/19 – A \$150,000 wire transfer debit (expenditure) to David Elliot Builders Inc. Banner Bank account ending in # 5858.

10/7/19 – A \$150,000 wire transfer credit (deposit) from Wisnicki & Associates LLC which originated from JP Morgan Chase account ending in # 0540.

10/7/19 – An internal bank transfer in the amount of \$150,000 to David Elliot Builders Inc., Banner Bank account ending in # 5858.

1/8/20 – An \$80,000 wire transfer debit (expenditure) to a relative of SENDERS.

**Fifth Third Bank account ending in # 4527 – Personal Checking**

23. SENDERS and a relative, opened this joint account on 8/29/19. The account listed SENDERS' occupation as a “Butcher and co-owner of Tibor Kosher Meats” and the relative as a “co-owner of Tibor Kosher Meats.”<sup>8</sup> The account listed SENDERS' address as 14393 Washington Blvd., University Heights, Ohio and the relatives' address as 2543 S. Green Road, University Heights, Ohio. During the period 2/5/20 to 3/25/20, the account received four (4)

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<sup>8</sup> According to a Cleveland Jewish News article dated 9/9/19, a relative of SENDERS purchased Tibor's Kosher Meats from Tibor Rosenberg for an undisclosed amount. According to the Ohio Secretary of State business filings, Tibor's Kosher Meat Market was incorporated in 1986 by Tibor Rosenburg. This business executed a Trade Name Assignment on 9/11/19 to Sendies Boys Limited LLC.

ACH deposits totaling \$305,000 from Gemini Trust Company<sup>9</sup>. The account also included several check deposits from Sendies Boys Limited LLC<sup>10</sup> Fifth Third business checking account ending in # 4831. There was also a wire transfer deposit from ENJ Properties LLC<sup>11</sup> in the amount of \$197,666.66. The account also received two (2) incoming wire transfers totaling \$705,000 from the ES Global Real Estate Holdings LLC bank account described above which SENDERS and a relative were joint account holders. The deposits funded two (2) wire transfers to D Cada Inc. in the amount of \$340,000 and to LA Exotic Watches in the amount of \$189,500. D Cada Inc. is an importer of luxurious handbags and LA Exotic Watches sells luxurious watches. SENDERS indicated to bank branch staff that he was purchasing watches to “flip.” The account was also used to conduct the following notable purchases and expenditures:

- The purchase of 2110 Green Road which was purchased under the entity of Corner Green LLC. On 5/27/20, an outgoing wire transfer of \$151,932.35 to Erie Title Agency with reference to “Dorothy Wilson”. Cuyahoga property records show that 2110 Green Road was purchased on 6/5/20 by Corner Green LLC from seller Dorothy Wilson for \$155,000. Corner Green is an LLC created by SENDERS to purchase real estate.
- There were two (2) separate transfers from this account to another Fifth Third account holder Select Homes. On 6/9/20, there was a \$120,000 transfer and on 6/24/20, there was a \$140,000

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<sup>9</sup> Gemini Trust is a virtual currency exchange and was used by Shane Hvidzak and Hvidzak Capital Management to launder drug proceeds for SENDERS and associates.

<sup>10</sup> According to the Ohio Secretary of State business filings, Sendies Boys Limited LLC was incorporated on 6/9/19.

<sup>11</sup> ENJ Properties LLC was incorporated in California on 10/14/16 and listed SENDERS as a member. The LLC was dissolved on 3/18/20.

transfer.

- There was the purchase of Official Bank check #33354220 which was dated 7/9/20 payable to Firenza Stone in the amount of \$50,000. The memo stated the purchaser was SENDERS.

Firenza Stone is a home remodeling business which specializes in granite products.

- There was the purchase of Official Bank check #334141134 which was dated 7/23/20 payable to RSA Architects in the amount of \$11,166.50. The memo stated the purchaser was SENDERS and referenced 100 Mountain View. RSA Architects is a home remodeling business and 100 Mountain View Drive, Moreland Hills, OH is the address of a residence purchased by an LLC created by SENDERS.

#### **Fifth Third Bank account ending in # 4831 - Sendies Boys Limited LLC**

24. Sendies Boys Limited LLC opened this account on 8/20/19 with a \$100 cash deposit. The signors on the account were co-owners, both relatives of SENDERS. The second deposit into the account was an incoming wire transfer in the amount of \$300,000 from US Bank account ending in # 9109 in the name of a relative of SENDERS on 8/29/19. On 9/3/19, this account sent an outgoing wire transfer in the amount of \$300,000 to Wachter Kurant LLC<sup>12</sup> Trust account at Key bank. On 8/12/19, SENDERS through his ES Global Real Estate Holdings LLC (ES Global) account sent a relative a wire transfer in the amount of \$350,000 to the same above-mentioned US Bank account used to send this incoming wire transfer. The third deposit into this account was in the amount of \$20,300 from SENDERS and a relative of SENDERS' above mentioned Fifth Third personal account. This check consisted of \$1,300 in currency and a personal check #0999 in the amount of \$19,000. On 8/12/19, SENDERS purchased Official

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<sup>12</sup> This is a law firm that has created several of the LLCs used by SENDERS.

check #281303597 in the amount of \$19,461.15 from his ES Global account and subsequently deposited the check into his Fifth Third personal account. Therefore, this was the origin of funds used to write the \$19,000 check. The next deposit into Sendies Boys business account was a \$100,000 check payable to Sendies Boys Limited LLC from Misak Misak one of the third-party money launderers used by the DANK VAPES DTO in their illegal enterprise.

The following transactions are other activity that indicates Tibor Meats and its business bank account is a conduit to launder money for SENDERS:

- During the period 9/27/19 to 7/23/20, there were thirty-four (34) checks payable to SENDERS totaling \$258,354 from the Sendies Boys Limited bank account. SENDERS states on paperwork that he is employed as a butcher at the store but there is no evidence that he works at the store in any capacity.
- During the period 5/1/20 to 7/23/20, there are sixteen (16) payroll checks that are made payable to a relative of SENDERS, in the amount of \$1,375.86 each and totaling approximately \$22,000 that SENDERS deposits into his personal Fifth Third checking account. This person shows no apparent connection to the account that is shared with a relative of SENDERS.
- On 5/4/20, there is a car payment made to Shaker Auto Lease on behalf of SENDERS.
- During the period 9/10/19 to 6/30/20, there were \$2,921,948.32 in deposits from Heartland Payment Services which is a payment processing business.
- On 12/24/19, there was an \$80,000 outgoing wire transfer to a relative of SENDERS.

**Banner Bank account ending in # 6703 – 806 N. Vista Ave LLC**

25. BALAY opened this business checking account under the name 806 N. Vista Ave LLC and is listed as the sole member of this entity. The address used for the bank account on the signature card was 1355 Westwood Blvd., Ste. 201, Los Angeles, California 90024. However,

the business documents that were required by the bank to open this account demonstrated that the entity had an address of 14393 Washington Blvd., University Heights, Ohio 44118. This is the address frequently used by SENDERS and is the address where relatives of SENDERS live. The account was opened on 6/15/19 with a cash deposit of \$100. The following is a description of the activity in the account:

- 8/27/19 – A \$150,000 wire transfer credit (deposit) from Wisnicki & Associates LLC.
- 9/13/19 – A \$150,000 wire transfer debit (expenditure) to David Elliot Builders Inc.

### **REAL ESTATE TRANSACTIONS**

#### **26. 952 N. Laurel Avenue, Los Angeles, CA 90046 – (3/21/19)**

This property was purchased for **\$1,720,000** by N. Laurel Avenue Property Holdings LLC<sup>13</sup> (N Laurel) and the seller was 952 Laurel LLC (952 Laurel). The closing was handled by Granite Escrow & Settlement Services, 439 Cannon Drive, STE 220, Beverly Hills, California. SENDERS is listed as the sole member of N. Laurel and he was the only person who signed documents on behalf of the LLC during the transaction. The address listed for N. Laurel is 14393 Washington Blvd., University Heights, Ohio (SENDERS' relatives' residence). The property was financed via four (4) wire transfers from Titanium Lending Inc.<sup>14</sup> (Titanium Lending) located at 2001 W. Magnolia Blvd., Suite D, Burbank, California 91506. The amount and date of the wire transfers were as follows: \$51,600 (2/26/19), \$500,000 (3/15/19), \$270,000

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<sup>13</sup> According to the California Secretary of State business filings, N. Laurel Avenue Property Holdings LLC was incorporated on 2/21/19 and listed SENDERS as a member.

<sup>14</sup> California Secretary of State business filings indicate that Titanium Lending Inc. was incorporated on 3/21/16 and listed two individuals as officers with the company.

(3/19/19) and \$230,000 (3/20/19) which totals \$1,051,600. The remaining \$678,000 was financed by Chris Furie who is the owner of 952 Laurel and Fairweather Partners LP. The deal was closed on 3/21/19 and the final amount owed by N. Laurel was \$1,729,600. Titanium Lending conducted the above transactions to launder the drug proceeds obtained by the DANK VAPES DTO.

**27. 833 N. Spaulding Avenue, Los Angeles, CA – (4/12/19)**

This property was purchased for **\$1,850,000** by 833 N. Spaulding Avenue LLC. A CTR was filed by First American Title relating to SENDERS and 833 Spaulding. The report stated “Total Cash In” as 1850000 and “Total Cash Out” as Wire: 1850000. This property was sold on 1/23/20 for \$1,850,018.

**28. 2664 Green Road, Shaker Heights, OH 44122 – (6/14/19)**

ES Global Real Estate Holdings LLC<sup>15</sup> (ES Global) purchased this two-family residence for \$210,000. A review of subpoenaed records for First National Bank of Pennsylvania business checking account ending in # 6949 demonstrated significant structured cash deposits and wire transfers from third party entities or individuals who have assisted SENDERS in laundering his drug proceeds. The chronological financial activity from the account used to purchase the property is as follows:

- 5/31/19 – There was a \$10,000 check written to Greater Cleveland Title.
- 6/12/19 – Wire transfer in the amount of \$100,000 received from Titanium Lending.

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<sup>15</sup> According to the Ohio Secretary of State business filings, ES Global Real Estate Holdings LLC was incorporated on 3/4/15 and listed SENDERS as the registered business agent. Further, the signature card for First National Bank of Pennsylvania account ending in # 6949 listed SENDERS as the Property Manager, a relative of SENDERS as the Managing Member and the mailing address for the business as 14393 Washington Blvd., University Heights, Ohio 44118.

- 6/13/19 – Wire transfer in the amount of \$100,000 received from Titanium Lending.
- 6/13/19 – Outgoing wire transfer in the amount of \$197,560.35 to Greater Cleveland Title.
- 6/14/19 – Cuyahoga County Public Records shows property transfer of 2664 Green Road to ES Global for a purchase price of \$210,000.

**29. 806 N. Vista Avenue, Los Angeles, CA 90046 – (6/14/19)**

This property was purchased for **\$1,900,000** by 806 N Vista Ave LLC (806 N Vista) and the seller was Exchange Resources, Inc (Exchange). The sole member of 806 N Vista is listed as BALAY and the address for the entity is listed as 14393 Washington Blvd., University Heights, Ohio (SENDERS' relative's residence). The closing was handled by Granite Escrow & Settlement Services 439 Cannon Drive, STE 220, Beverly Hills, California. An associate of BALAY signed the pertinent documents during the transaction however, there were several individuals involved in the deal. The conversations via e-mail with Granite Escrow showed that SENDERS was involved in the deal by obtaining information and financing. In addition, a representative of David Elliot Builders was corresponding with the escrow officer of Granite Escrow & Settlement Services. The deal was mainly financed by Wisnicki and Associates LLC<sup>16</sup> and it involved the following two (2) wire transfers: \$1,800,000 (6/13/19) and \$41,647.47 (6/14/19). The earnest money in the amount of \$57,000 was wired to Granite Escrow by the owner of David Elliot Builders on 5/14/19. The deal closed on 6/14/19.

**30. Cuyahoga County Parcel # 703-22-021 – (9/10/19)**

This vacant plot of land located on South Green Road in South Euclid, Ohio was

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<sup>16</sup> Wisnicki and Associates LLC was incorporated in New York on 7/15/08 and is owned by Attorney Robert Wisnicki.

purchased by ES Global. A review of subpoenaed records for the First National Bank of Pennsylvania business checking account ending in # 6949 revealed the following financial activity used to purchase the land:

- 9/10/19 – Cash deposit of \$6,000 made to ensure the balance was sufficient to fund the wire transfer.
- 9/10/19 – Outgoing wire transfer in the amount of \$32,884.25 to Barristers of Ohio, LLC.
- 9/11/19 – Public records shows a property transfer to ES Global for a purchase price of \$31,000. This property was transferred on 2/14/20 to Corner Green LLC<sup>17</sup> via a Quit Claim Deed signed by SENDERS as a member of ES Global.

**31. 2104 South Green Road, South Euclid, OH 44121 – (2/27/20)**

This single-family residence was purchased with drug proceeds by Corner Green LLC for \$150,000. Corner Green LLC was created by SENDERS to facilitate real estate purchases with drug proceeds. The purchase was finalized using a Fifth Third Bank account that consisted of profits from the DANK VAPES DTO.

**32. 2110 South Green Road, South Euclid, OH 44121 – (6/5/20)**

This single-family residence was purchased with drug proceeds by Corner Green LLC for \$155,000.

**33. 100 Mountain View Drive, Moreland Hills, OH 44022 – (2/5/20)**

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<sup>17</sup> According to the Ohio Secretary of State business filings, Corner Green LLC was established on 9/11/19 and SENDERS has signed documents as a member of the LLC. The properties located at 2104 & 2110 South Green Road and the vacant lot (Cuyahoga County Parcel # 703-22-021) in the name of Corner Green are all adjoined. Corner Green, similar to the majority of entities formed by SENDERS, uses a mailing address of 14393 Washington Blvd., University Heights, Ohio.

This residential property (existing 10,246 square foot home with a physical address of 100 Mountain View Drive, Moreland Hills, OH and adjoining vacant parcel) was purchased with drug proceeds for **\$1,250,000** by 100 Mountain View LLC<sup>18</sup> (100 Mountain). A review of subpoenaed records for the Titanium Lending's Bank of America business checking account ending in # 6801 revealed the following financial activity used to purchase this property:

- 1/30/20 – Incoming \$1,200,000 wire transfer from 833 N. Spaulding Avenue LLC which was created by SENDERS.
- 2/3/20 – Outgoing \$50,000 wire transfer to Hallmark Escrow Co.
- 2/4/20 – Outgoing \$1,185,755 wire transfer to Ohio Real Title Agency

As previously described, 833 N. Spaulding Avenue LLC purchased a **\$1,850,000** residence located at 833 N. Spaulding Avenue, Los Angeles, CA via wire transfers in April 2019.

SENDERS is the manager/member of 833 N. Spaulding Avenue LLC.

### **USE OF THIRD PARTIES TO LAUNDER MONEY**

34. S.H. is an entrepreneur who specializes in Bitcoin transactions. S.H. operates multiple companies including but not limited to: H. Capital Management Group and High Street Capital Fund which are operated from S.H.'s residence at XXX High Street, Bradford, Pennsylvania. Beginning in late 2019, S.H. began conducting unusual financial transactions. The transactions were mainly from his personal bank account and some of his business bank accounts (mentioned above) at Northwest Bank and CNB Bank. S.H. had access to accounts at Gemini Trust which is a Bitcoin holder from New York and used the accounts as a conduit to

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<sup>18</sup> Ohio Secretary of State business filings indicate that 100 Mountain View LLC was incorporated on 1/13/20. Further, U.S. Postal Service records indicate that SENDERS receives mail at 100 Mountain View Drive, Moreland Hills, Ohio 44022.

conduct financial transactions. The transactions involved the above-mentioned parties including but not limited to: W. & Associates, Titanium Lending, D.E.B., and a relative of SENDERS. In addition, S.H. was the subject of five CTRs filed on his behalf in late 2019 into early 2020. S.H. also received and paid funds to individuals who have a direct or apparent relationship with SENDERS.

The following are the CTRs filed on behalf of S.H.:

10/22/19 – Cash deposit of \$15,000 into Northwest Bank personal checking account ending in # 0798.

12/26/19 – Cash deposit of \$19,200 into Northwest Bank personal checking account ending in # 0798.

1/2/20 – Cash deposit of \$21,000 into Northwest Bank personal checking account ending in # 0798.

1/7/20 – Cash deposit of \$40,850 into Northwest Bank personal checking account ending in # 0798.

3/3/20 – Cash deposit of \$302,101 to West Valley View Inc. which is a Modular Housing Retailer.

Prior to 10/22/19, there was no filing activity regarding CTRs for S.H..

#### **H. CAPITAL MANAGEMENT – CNB Bank account ending in # 4287**

35. The following activity related to SENDERS occurred in the H. Capital Management CNB Bank account ending in # 4287:

5/13/19 – An incoming wire transfer (deposit) in the amount of \$100,000 from CHM Investments LP which has a managing partner who is a relative of R.W.

5/15/19 – An incoming wire transfer in the amount of \$25,000 from a relative of R.W.

5/22/19 – An incoming wire transfer in the amount of \$111,000 from W. & Associates who was the source of financing for SENDERS' and BALAY's above mentioned property purchase (806 N Vista).

6/28/19 – An incoming wire transfer in the amount of \$100,000 from W. & Associates who was the source of financing for SENDERS' and BALAY's above mentioned property purchase (806 N Vista).

7/17/19 – An incoming wire transfer in the amount of \$100,000 from a Cleveland area business which is owned by an acquaintance of SENDERS.

7/17/19 – An incoming wire transfer in the amount of \$130,000 from an associate of SENDERS who listed an address of 23366 Commerce Park, Ste. 210, Beachwood, Ohio. This office building was an address that SENDERS used for previous business filings.

7/25/19 – An incoming wire transfer in the amount of \$200,000 from a relative of SENDERS. The wire transfer originated from the ES Global account at First National Bank of Pennsylvania (described above). The account is jointly held with SENDERS and is used as a mechanism to launder drug proceeds. The mailing address is 19343 Washington Blvd., University Heights, Ohio.

7/30/19 – An incoming wire transfer in the amount of \$15,000 from a relative of R.W.

8/5/19 – An incoming wire transfer in the amount of \$200,000 from a relative of SENDERS. The "memo section" of the wire transfer states "Eyton Senders."

8/9/19 – An incoming wire transfer (deposit) in the amount of \$200,000 from Titanium Lending. Titanium Lending was the lender on SENDERS' N. Laurel property purchase described above.

36. The total amount of money transferred into this account during the period described above is **\$1,351,000**. This is not the total amount sent to the account as only monies from

individuals connected to SENDERS was used for analysis purposes. Prior to the initial wire transfer on 5/13/19, this account's activity consisted of transactions that amounted to less than \$10,000 monthly.

**S.H. – Northwest Bank personal checking account ending in # 0798**

37. This account had a balance of \$5,602.83 on 7/29/19 and the activity following this date rendered transactions in millions of dollars. During the period 9/18/19 to 2/26/20, (5 months), the following activity related to SENDERS occurred in this account:

- There were credits (deposits) of **\$8,005,197.33** received from Gemini Trust which is described as a “digital currency exchange and custodian that allows customers to buy, sell, and store digital assets. It was founded by Cameron and Tyler Winklevoss.”  
Through public source information, S.H. has described himself as a Bitcoin trader.
- W. and Associates received at least \$505,000 in payments from the account. W. and Associates was the source of money for the purchase of the 806 N Vista deal (described above).
- A relative of R.W. received at least \$751,000 in payments from the account.
- A relative of SENDERS received \$250,000 in payments from the account. This relative then sent \$200,000 to the H. Capital account on 8/5/19 with the memo section of the wire transfer stating “Eyton Senders.”
- D.E.B. received \$250,000 in payments from the account. This company is another entity used by SENDERS to launder his drug proceeds.
- Titanium Lending received \$700,000 in payments from the account. This company financed the majority of the purchase of the N Laurel Avenue residence (described above). The entity also sent money to SENDERS' ES Global bank account.

- An associate (A.P.) of SENDERS received \$65,000 from the account while another associate (J.P.) of SENDERS received \$150,000 from the account. The investigation has revealed that SENDERS and this family have a personal relationship and that SENDERS and J.P. have previously discussed the purchase of marijuana for personal use.
- D.S. received a \$200,000 wire transfer from this account and the payment referenced “equipment purchased”. The funds were subsequently deposited into a JP Morgan Chase Bank account belonging to D.S. in Los Angeles, CA. This transaction is significant as it corroborates a social media post indicating that D.S. is associated with Exotic Carts (*see* footnote 1).
- An associate (D.J.) of SENDERS received \$150,000 from the account. D.J. and A.P. work together at an investment company in the Cleveland area. In addition, surveillance conducted by task force members witnessed high-end sports cars owned by A.P. and D.J. parked at 23258 Fernwood Drive, Beachwood, Ohio. This address was connected to a marijuana delivery in which SENDERS was arrested in 2010. It was also the address on the check that was the initial deposit into the US Bank ES Global account in 2017.
- BALAY received \$100,000 from this account on 12/5/19. BALAY is the partner of SENDERS and others in the drug trafficking organization.

38. In summary, SENDERS’ associates were paid large sums of money from S.H. and his related entities. Also, SENDERS’ associates sent money to H. Capital. In one instance, SENDERS’ relative referenced SENDERS when conducting a \$200,000 wire transfer to H. Capital. Another relative of SENDERS sent \$200,000 from their joint account to H. Capital. The payments to lenders and acquaintances of SENDERS also demonstrate a mechanism used to launder illicit proceeds. The payment to BALAY just further solidifies the use of the accounts to

launder drug proceeds. Further, the Securities and Exchange Commission filed a civil complaint on 6/16/20 against High Street Capital, and Shane and Sean Hvidzak alleging fraud.

**M.M.**

39. M.M.'s last known occupation was a manager of a T-Mobile Store, however, his bank accounts have a vast amount of transactions. There does not appear to be a specific purpose to the transactions and they appear random. There does not include notations in the "memo section" of the checks nor does there indicate a relationship to the payee. In late 2019, M.M. wrote checks from his Wells Fargo personal checking account ending in # 0458 to individuals or entities involved in the DANK VAPES DTO. The following are chronological listing of the checks:

- 9/6/19 – There was a \$90,000 check written to Parkway Investment Group LLC which is owned by an individual who is also an owner of Titanium Lending.
- 9/6/19 – There was a \$11,000 check written to an individual who is a DANK VAPES distributor.
- 9/9/19 – There was a \$100,000 check written to Sendies Boys Limited which is the holding company of Tibor's Kosher Meats which was purchased by a relative of SENDERS on 9/10/19. The check was endorsed by another relative of SENDERS. As with the other checks, there was nothing in the "memo section" depicting a purpose of the check.
- 10/7/19 - There was a \$13,000 check written to Titanium Lending Inc. who is described above as a financier of properties purchased by SENDERS.

40. During the period 2/22/19 to 6/9/19, M.M. further used his Citibank personal checking account ending in # 4496 to write nine (9) checks payable to Titanium Lending which

totaled \$134,000. The deposits in this account consisted of cash and zelle or similar payment methods. Misak received checks from DH Promotions which stated in the memo section "loan." A review of DH Promotions account demonstrated cash and zelle deposits. The following are the checks written to Titanium Lending from M.M.:

- Check number 141 dated 2/22/19 for \$17,000.
- Check number 142 dated 2/28/19 for \$15,000.
- Check number 144 dated 3/12/19 for \$10,000.
- Check number 145 dated 3/17/19 for \$10,000.
- Check number 146 dated 4/3/19 for \$25,000.
- Check number 148 dated 4/20/19 for \$25,000.
- Check number 149 dated 4/29/19 for \$10,000.
- Check number 151 dated 5/26/19 for \$12,000.
- Check number 154 dated 6/9/19 for \$10,000.

41. The checks are almost in sequential order even though there is a spacing of time periods between the dates. There is no information in the memo section of the checks which states a purpose of the payment. These characteristics are consistent with Icon Remodeling who also laundered the proceeds of the DANK VAPES DTO. A review of several checks indicates that the handwriting on the payee line, deposit slip and/or endorser is very similar. Several of the Titanium Lending checks from M.M. and Icon Remodeling share handwriting that is similar between the payee and endorser. This information infers that the check is given to the individuals with a blank "payee line" thus indicative of money laundering.

#### **SENDIES BOYS LIMITED LLC**

42. Sendies Boys Limited LLC (Sendies Boys) was established with the Ohio Secretary

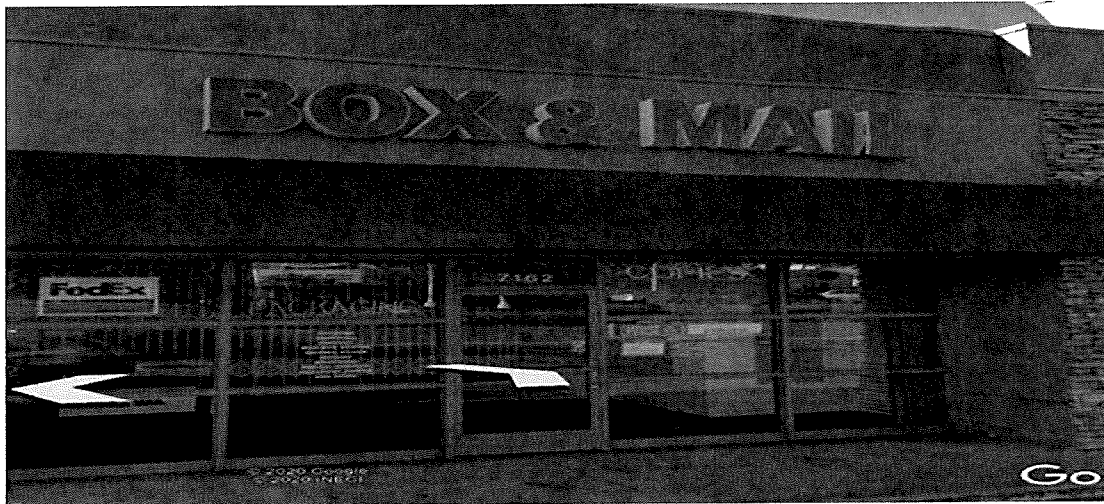
of State on 6/17/19. On 9/11/19, Tibor's Kosher Meat Market (Tibor) filed documents with the Ohio Secretary of State which recorded a "Trade Name/Assignment" to Sendies Boys. This corresponds with the public source information dated 9/9/19 that a relative of SENDERS purchased Tibor. SENDERS has emerged as a partner of Tibor as referenced above. He and another relative established a Fifth Third personal checking account and listed their occupations as co-owners or a Butcher for Tibor. This personal account has received checks from Sendies Boys Fifth Third business checking account and CTRs have been filed on SENDERS and his relative pertaining to financial transactions related to Sendies Boys.

43. As described above in paragraph 39, M.M. wrote a check in the amount of \$100,000 to Sendies Boys on 9/9/19. This correlates with the purchase date of Tibor's Kosher Meats. Based on this information, Tibor is another entity in which SENDERS is using to launder his illicit drug proceeds. This business, similar to the other entities described in this affidavit, allows SENDERS a place to attempt to legitimize his ill-gotten gains.

**D.E.B. Inc. – XXXX Beverly Blvd., Los Angeles, CA**

44. D.E.B. Inc. (DEB) was established by D.B. in 2016. The company has a business bank account (ending in 5858) at Banner Bank which was established in October 2018. This is the same bank in which SENDERS and BALAY opened accounts under limited liability companies related to property purchases. As described above, SENDERS and BALAY have transferred monies into DEB's Banner Bank account and a Bank of America account ending in # 5721. SENDERS and BALAY utilized bank accounts attached to their entities N. Laurel Properties LLC and 806 N. Vista LLC to transfer \$300,000 to DEB in September 2019. On 1/8/20, DEB made a telephone transfer to BALAY (Banner Bank personal account ending in 2952) in the amount of \$95,316.73. D.B. and DEB also provided \$57,000 as a down payment

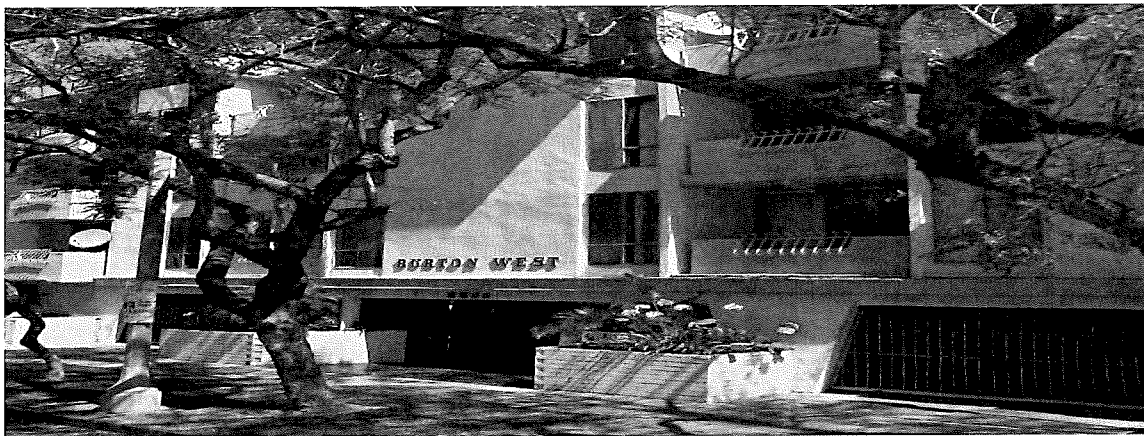
for the N. Vista property and were involved in the deal as evidenced by internal e-mails with the title company. Further, the physical address for DEB is a Box & Mail storefront located in a strip plaza (*see below photo*).



45. As demonstrated above, DEB also received \$250,000 from S.H. In one instance, DEB received \$100,000 from S.H. on the same day (12/5/19) that BALAY received \$100,000 from S.H. The transactions between DEB, BALAY and SENDERS appeared random and unrelated to a certain transaction or purpose which is consistent with the purchase of luxury properties with illegal drug proceeds.

**I.R. INC. – XXXX Burton Way, #106, Los Angeles, CA**

46. I.R. Inc. (IR) initially filed its Articles of Incorporation with the state of California on 6/1/18. IR was founded by two individuals and listed the business address as XXXX Burton Way, #106, Los Angeles, California 90048. Also, the physical address for IR is a multi-unit apartment building which further suggests that IR is a conduit for the DANK VAPES DTO to launder drug proceeds (*see below photo*).



47. IR opened JP Morgan Chase Bank business checking account ending in # 9053 on 2/6/19. The two IR founders were listed as the only signers on the account. During the period of inception (2/6/19) to April of 2020, checks in the amount of **\$6,263,702.06** were written from the account. Several checks written from the account were made payable directly to or to associates of SENDERS and BALAY. Several depositors in this account issued checks in sequential order without notations on the check memo line. Further, several depositors shared common addresses, several of which were storefront mailbox locations. The following individuals/entities related to SENDERS and BALAY received checks from this account:

**ES GLOBAL HOLDINGS** – ES Global received two (2) sequential checks (185 and 186) in the amount of \$200,000 and 130,000. The checks were dated 7/1/19 and there was nothing stated in the “MEMO” section of the checks. The checks were deposited into the First National Bank of Pennsylvania business checking account ending in # 6949 on 7/3/19. The checks were signed by R.F.

**N LAUREL AVENUE PROPERTY HOLDINGS** – N Laurel received check #119 in the amount of \$100,000 dated on 8/9/19. There was nothing stated in the memo section of the check and it was signed by R.F. The check was deposited into the Banner Bank account (described above) on 8/9/19.

**JUSTEN BALAY** – BALAY received and deposited check # 189 in the amount of \$200,000 dated 7/1/19 into his Banner Bank personal checking account ending in 2952. The check was almost sequential with the checks received by SENDERS at ES Global. It was deposited on 7/9/19 and coincided with the opening of his (BALAY's) Banner bank personal checking account. There was nothing stated in the memo section of the check and it was signed by R.F. He further deposited check #166 in the amount of \$100,000 on 8/6/19 into his Banner bank personal checking account. This check also had nothing indicated in the memo section and it was signed by R.F. In addition, the next sequential check #167 in the amount of \$45,000 was made payable to P.M. LLC which is a luxury jewelry business in Beverly Hills, California. This check was also dated 8/6/19.

**TITANIUM LENDING** – There were six (6) checks totaling \$560,000 made payable to Titanium Lending (Titanium) written from the ICON account. Titanium was the lender on SENDERS' N. Laurel property purchase and has been prevalent in several financial transactions involving SENDERS. The following are a chronological listing of the checks made payable to Titanium from ICON:

**4/24/19** – Check #101 in the amount of \$10,000.

**5/12/19** – Check #139 in the amount of \$100,000.

**6/12/19** – Check #108 in the amount of \$100,000.

**6/20/19** – Check #184 in the amount of \$200,000. The next two (2) sequential checks (185 & 186) were made payable to ES Global (described above). On 7/20/19, the ES Global business account received a \$200,000 wire transfer from Titanium.

**7/12/19** – Check #192 in the amount of \$100,000.

**7/31/19** – Check #168 in the amount of \$50,000. Check numbers 166 and 167 are described

above in the BALAY section.

#### **OTHER CHECKS FROM ICON CONSISTENT WITH MONEY LAUNDERING**

48. **Aristocrat Enterprises** – This entity received two (2) checks totaling \$118,310 from ICON. On 12/16/19, the company was paid \$23,485 and on 2/17/20, the company was paid \$94,825. Aristocrat Enterprises has a signor on their bank account named Robert Berman<sup>19</sup>.

49. **Parkway Investment Group, Inc.** – On 8/5/19, this entity received a check in the amount of \$50,000 from ICON. The owner of this company is also co-owner of Titanium Lending.

50. **Av & Eb Inc.** – On 5/7/19, this entity received a check in the amount of \$30,000 from ICON. This company is an import/export business and conducts business with a Chinese company named N.O. Import/Export Trade which is located in China. According to public source information, Nantong manufactures the glass products used to produce vape cartridges.

51. **D.O.** – This individual received a check in the amount of \$12,500 from ICON. Public source information indicates that D.O. leases luxury automobiles.

52. A co-founder of IR is 82 years old and is a signor on the bank account of IR. The co-founder of IR received twenty-eight (28) checks payable to himself totaling \$1,027,960. The checks were subsequently cashed at a third party check cashing business in California.

53. The other founder of IR received one-hundred three (103) checks payable to himself

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<sup>19</sup> Berman was apprehended by Homeland Security Investigations (HSI) agents in September 2019 in possession of \$211,755 in U.S. currency related to the distribution of approximately 35,610 THC Vape cartridges. He was ultimately indicted in the Northern District of Ohio for 21 USC 841(a)(1) - Possession with Intent to Distribute THC and 21 USC 846 – Conspiracy to Distribute THC. On November 17, 2020, Berman entered a guilty plea and on February 8, 2021, a Final Order of Forfeiture was entered forfeiting the \$211,755 in U.S. Currency to the United States. In this case (Case No. 1:2019 CR 00580) Berman is scheduled for sentencing on March 9, 2021, before U.S. District Court Judge Donald Nugent.

totaling \$945,050 from IR. None of the checks exceeded the \$10,000 threshold that requires the filing of a CTR. However, the majority of checks exceeded \$9,000 and there was an instance in which twelve (12) sequentially ordered checks (#s 465-476) were payable to him in amounts exceeding \$9,000.

#### **PAYMENTS FROM ICON ACCOUNT RELATED TO MARIJUANA BUSINESS**

The following outgoing wire transfers are payable to businesses who sell products and/or equipment related to the cultivation of marijuana/distillate or the production of vape cartridges:

54. **Shanghai Hisen Instrument Company 7<sup>th</sup> bldg. No. 99 Shenbeiyi Rd Shanghai, China 201612** – On 5/28/19, there was an outgoing wire transfer in the amount of \$38,190 from IR to this company. The company as described by Alibaba.com is a “one-stop solution and services for plants oil production, from extraction, winterization, solvent recovery, distillation and crystallization.”

55. **Shanghai Dehuan Industry Company 3 Lianhang Rd, Shanghai: PR China 201100** – On 7/30/19, there was an outgoing wire transfer in the amount of \$45,745 from IR to this company. The company specializes in the sale of Hydroponics and other equipment associated with the cultivation of marijuana.

56. **Cascade Sciences, LLC 6725 NE Evergreen Pkwy Ste. 106, Hillsboro, Oregon** – On 1/29/20, there was an outgoing wire transfer in the amount of \$29,268.09 from IR to this company. Cannabis Industrial Marketplace describes this company as “Cascade Sciences has years of expertise to ensure our customers are equipped with the right vacuum ovens, vacuum pumps, laboratory drying ovens, traps, chillers and distillation/evaporation process tools.”

#### **VEHICLE TRANSACTIONS**

57. **1996 Porsche 911 Turbo, black, VIN # WP0AC2991TS376255 – (5/7/20)**

SENDERS leased this vehicle from Shaker Auto Lease in Warrensville Heights, Ohio in June 2018. From June 2018 to February 2020, SENDERS made his lease payments in cash (25 payments) which totaled \$93,014.10 and were conducted in person by SENDERS or a relative. On 5/7/20, SENDERS paid off the vehicle with a \$120,000 wire transfer from Parkeast Investments LLC<sup>20</sup> in Toms River, New Jersey. The wire originated from a JP Morgan Chase Bank account number ending in 8827. This bank account contained drug proceeds from the DANK VAPES DTO and was used as a method to make the car purchase appear legitimate. Further, this vehicle was subsequently titled to a relative of SENDERS to shield SENDERS as the true owner.

**58. 2019 Nautique G25 boat, HIN # CTC95115K819, and 2019 Extreme boat trailer, VIN # 5DBBB2734KZ005090 – (6/1/20)**

A relative of SENDERS purchased this boat and trailer from Boulder Boats in Mesa, Arizona to shield his brother, SENDERS, as the true owner. The purchase payment of \$166,500 was made on 5/29/20 from (3) wire transfers: \$95,000 from Lezer Corp.<sup>21</sup>, \$50,000 from Wisnicki & Associates LLC and \$21,500 from Parkeast Disinfectant LLC. These accounts consisted of drug proceeds from the DANK VAPES DTO and were utilized to make the boat purchase appear legitimate.

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<sup>20</sup> The registered agent for Parkeast Investments LLC is a relative of SENDERS and the filing date of the LLC was 1/7/19.

<sup>21</sup> The president/director of Lezer Corp. is a friend of SENDERS and was incorporated in Delaware on 6/22/20 and operates in Miami, Florida.

## **JEWELRY & PRECIOUS METAL TRANSACTIONS**

59.    **a) Patek Philippe rose gold men's wrist watch, Model # 5980/1R-001, Serial # 797834/6192290;**
- b) Rolex stainless men's wrist watch, Model # 115234, Serial # 245E1318;**
- c) Rolex stainless men's wrist watch, Model # 116234, Serial # 17T10743; and**
- d) Rolex 18k rose gold men's wrist watch, Model # 218235, Serial # 38HZ3155.**

The above (4) wrist watches were purchased by SENDERS with drug proceeds that were transacted through a joint Fifth Third Bank checking account number ending in 4527 that SENDERS maintained with a relative. On 3/10/20, SENDERS sent an outgoing wire transfer in the amount of \$189,500 to LA Exotic Watches LLC in California. On 3/25/20, SENDERS sent a \$340,000 outgoing wire transfer to D Cada Inc. in New York, New York. D Cada Inc. is the seller of luxurious items including handbags and watches.

60.    **Metalor kilogram gold bar, S/N # 18144504 – (12/27/18)**

SENDERS purchased this kilo gold bar from Wilshire Coin Exchange in Santa Monica, California on 12/27/18 for \$41,891 in cash.

## **CURRENCY SEIZED**

61.    On 9/22/20, federal agents and local law enforcement officers executed federal search warrants on the residences of SENDERS' relatives located at 2543 S. Green Road, Beachwood, Ohio 44122 (Case No. 1:20 MJ 9314) and 2560 Larchmont Drive, Beachwood, Ohio 44122 (Case No. 1:20 MJ 9315), the residence of SENDERS' relatives located at 14393 Washington Blvd., University Heights, Ohio 44118 (Case No. 1:20 MJ 9312) and on one of the residences of Eyton SENDERS located at 100 Mountain View Drive, Moreland Hills, Ohio 44022 (Case No. 1:20 MJ 9316).

62. The search warrant executed on the residence of SENDERS' relatives located at 2560 Larchmont Drive revealed various amounts of suspected marijuana, THC vape cartridges, scales, grinders, financial records and documents for Tibor's Kosher Meats, and \$39,108.00 in U.S. currency. The search warrant executed on the residence of SENDERS' relatives located at 2543 S. Green Road revealed mail and packages addressed to SENDERS' relatives, dry cleaning receipts for SENDERS, and \$2,158,215.00 in U.S. currency that was located inside two safes that were secreted inside the attic.

63. The search warrant executed on the residence of SENDERS' relatives located at 14393 Washington Blvd. revealed various amounts of suspected marijuana, THC vape cartridges, THC edibles in a clear vacuum sealed pouch, (2) loaded handguns, and financial records and documents for Tibor's Kosher Meats.

64. The search warrant on the residence located at 100 Mountain View Drive, Moreland Hills, Ohio 44022 revealed that the entire interior of the residence was under construction and no one was currently residing in the home. Agents interviewed the on-site contractor who advised that SENDERS hired his company to complete all of the renovations at the residence. The contractor stated that the renovations will cost in excess of two-million dollars once they are finished in March 2021. The contractor told agents that SENDERS has paid him approximately \$600,000 for the work completed so far.

65. The financial analysis of the DANK VAPES DTO has the characteristics of a multi-million-dollar DTO. The method in which monies are co-mingled, transferred and otherwise unexplained is evident of the enormous profits earned through the drug trafficking. The financial activity described above is consistent with large scale money laundering operations as is summarized below:

- The vast use of currency to conduct financial transactions. For example, the deposits and withdrawals from bank accounts. The purchase of gold, cars, boats, jewelry and real property with currency. DTOs usually are paid with cash so it is a challenge to launder the proceeds because legitimate entities are usually not engaged in transacting large volumes of cash.
- The use of third parties to conduct and launder the DTO profits. This includes the use of LLCs to purchase property and the use of entities to launder money. In addition, the use of individuals to deposit and withdrawal cash from banks. For example, BALAY had out of state individuals conducting deposits into his bank accounts. The use of businesses to launder proceeds as described above with the H. Bitcoin operation, DEB and IR. The further use of family and friends to assist in laundering the money. SENDERS used his relative's address in University Heights, Ohio for several of his businesses. He also had joint accounts with his relatives. The use of third-party entities and individuals is necessary to layer the illicit proceeds in an attempt to make them appear legitimate.
- The method in which SENDERS and BALAY purchased their homes, from the unusual financing to the repayment of the lenders. Also, the use of Limited Liability Companies to conduct the purchase. As stated above, Titanium Lending was paid \$1,260,000 from S.H. and IR who are two of the mechanisms used to launder illicit monies. Titanium provided financing for SENDERS on the N. Laurel property and the 2664 S. Green Road property.
- The large amounts of expenditures made by the members of the DTO. This operation elicited extensive profits and the members had the spending habits that demonstrated the luxury. As described above, SENDERS and BALAY purchased luxurious items with the

profits of the DTO.

- The purchase of items necessary to maintain and promote the DTO which includes equipment and materials needed to produce the drugs and transportation for their distribution. These expenditures are described above.
- The \$2,197,323.00 in cash discovered during the search of two residences owned by relatives of SENDERS further demonstrates SENDERS attempt to utilize family members to conceal the drug proceeds.

### CONCLUSION

66. By reason of the foregoing, the defendants:

- a) A residence located at **100 Mountain View Drive, Moreland Hills, Ohio 44022**, which is further described by the Cuyahoga County Auditor's Office as Parcel: 913-06-001 and Parcel: 913-06-005;
- b) A residence located at **2664 South Green Road, Shaker Heights, Ohio 44122**, which is further described by the Cuyahoga County Auditor's Office as Parcel: 734-03-026;
- c) A residence located at **2104 South Green Road, South Euclid, Ohio 44121**, which is further described by the Cuyahoga County Auditor's Office as Parcel: 703-22-020;
- d) A residence located at **2110 South Green Road, South Euclid, Ohio 44121**, which is further described by the Cuyahoga County Auditor's Office as Parcel: 703-22-019;
- e) A vacant residential lot located on **South Green Road, South Euclid, Ohio 44121**, which is further described by the Cuyahoga County

Auditor's Office as Parcel: 703-22-021;

- f) A residence located at **952 N Laurel Avenue, Los Angeles, California** **90046**, which is further described by the Los Angeles County Assessor as AIN: 5529-023-023;
- g) A residence located at **806 N Vista Street, Los Angeles, California** **90046**, which is further described by the Los Angeles County Assessor as AIN: 5526-005-024;
- h) A 1996 Porsche 911 Turbo, black in color, VIN # WP0AC2991TS376255;
- i) A 2019 Nautique G25 boat, HIN # CTC95115K819, with a 2019 Extreme boat trailer, VIN # 5DBBB2734KZ005090;
- j) (1) Patek Philippe rose gold men's wrist watch, Model # 5980/1R-001, Serial # 797834/6192290;
- k) (1) Rolex stainless men's wrist watch, Model # 115234, Serial # 245E1318;
- l) (1) Rolex stainless men's wrist watch, Model # 116234, Serial # 17T10743;
- m) (1) Rolex 18k rose gold men's wrist watch, Model # 218235, Serial # 38HZ3155;
- n) (1) Metalor kilogram gold bar, Serial # 18144504;
- o) \$2,158,215.00 in U.S. currency; and
- p) \$39,108.00 in U.S. currency, are subject to forfeiture to the United States


under 21 U.S.C. § 881(a)(6) in that they constitute proceeds from illegal drug trafficking activities, and/or were used - or were intended to be used - in exchange for illegal controlled

substances, and/or were used - or were intended to be used - to facilitate illegal drug trafficking activities.

WHEREFORE, plaintiff, the United States of America, requests that this Court enter judgment condemning the defendants currency and property and forfeiting them to the United States, and providing that the defendant currency and property be delivered into the custody of the United States for disposition according to law, and for such other relief as this Court may deem proper.

Respectfully submitted,

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Acting United States Attorney  
Northern District of Ohio

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## VERIFICATION

STATE OF OHIO )

) SS.

COUNTY OF CUYAHOGA )

I, Henry F. DeBaggis, under penalty of perjury, depose and say that I am an Assistant United States Attorney for the Northern District of Ohio, and the attorney for the plaintiff in the within entitled action. The foregoing Complaint in Forfeiture is based upon information officially provided to me and, to my knowledge and belief, is true and correct.

  
Henry F. DeBaggis (OH: 0007561)  
Assistant United States Attorney

Sworn to and subscribed in my presence this 17<sup>th</sup> day of February, 2021

Anna J. Dudas  
Notary Public  
Anna J. Dudas  
Notary Public, State of Ohio  
My Commission Expires 12-5-2021